

SENATE BILL No. 152

DIGEST OF INTRODUCED BILL

Citations Affected: IC 13-11-2-144.8; IC 13-18-17-5.

Synopsis: Groundwater standards for onsite sewage systems. Prohibits adoption of a rule by the state department of health if the proposed rule applies the numeric criteria included in groundwater quality standards adopted by the water pollution control board for onsite sewage systems. Voids any rule adopted by the department to the extent that the rule is adopted for that purpose.

Effective: Upon passage.

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January 6, 2004, read first time and referred to Committee on Environmental Affairs.

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Introduced

Second Regular Session 113th General Assembly (2004)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2003 Regular Session of the General Assembly.

SENATE BILL No. 152

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 13-11-2-144.8 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE UPON PASSAGE]: **Sec. 144.8. "Onsite sewage**
4 **system", for purposes of IC 13-18-17, means:**

5 (1) **all equipment and devices necessary for proper onsite:**

6 (A) **conduction;**

7 (B) **collection;**

8 (C) **storage; and**

9 (D) **treatment; and**

10 (2) **absorption in soil;**
11 **of sewage from a residence or a commercial facility.**

12 SECTION 2. IC 13-18-17-5, AS AMENDED BY P.L.168-1999,
13 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
14 UPON PASSAGE]: Sec. 5. (a) The ~~water pollution control~~ board shall
15 adopt rules under IC 4-22-2 establishing groundwater quality standards
16 that include numeric and narrative criteria, a groundwater classification
17 plan, and a method of determining where the groundwater quality

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standards must apply. The standards established under this subsection shall be used for the following purposes:

- (1) To establish minimum compliance levels for groundwater quality monitoring at regulated facilities.
- (2) To ban the discharge of effluents into potable groundwater.
- (3) To establish health protection goals for untreated water in water supply wells.
- (4) To establish concentration limits for contaminants in ambient groundwater.

(b) **Except as provided in subsection (c) and subject to subsection (d),** the following agencies shall adopt rules under IC 4-22-2 to apply the groundwater quality standards established under this section to activities regulated by the agencies:

- (1) The department.
- (2) The department of natural resources.
- (3) The state department of health.
- (4) The office of the state chemist.
- (5) The office of the state fire marshal.

(c) **The executive board of the state department of health may not adopt rules to apply the numeric criteria included in groundwater quality standards established in rules adopted by the board under subsection (a) to onsite sewage systems.**

(d) **Any rule adopted by the executive board of the state department of health is void to the extent that the rule applies the numeric criteria included in groundwater quality standards established in rules adopted by the Indiana water pollution control board under subsection (a) to onsite sewage systems.**

SECTION 3. An emergency is declared for this act.

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